

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2020-016840

01/04/2021

HONORABLE TIMOTHY J. THOMASON

CLERK OF THE COURT
P. McKinley
Deputy

MARICOPA COUNTY, et al.

STEPHEN W TULLY

v.

KAREN FANN, et al.

THOMAS J. BASILE

JAMES E BARTON II
ALEXANDER M KOLODIN
CHRISTOPHER A VISKOVIC
THOMAS PURCELL LIDDY
JACQUELINE MENDEZ SOTO
KORY A LANGHOFER
MICHAEL S CATLETT
JENNIFER JAYNE WRIGHT
JUDGE THOMASON

MINUTE ENTRY

East Court Building – Courtroom 712

11:03 a.m. This is the time set for Telephonic Status Conference regarding Motion for Preliminary Injunction. All appearances are telephonic and are as follows:

- Counsel, Stephen Tully and Tomas Liddy are present on behalf of Plaintiffs Maricopa County; Clint Hickman, in his official capacity as Chairman of the Maricopa County Board of Supervisors; and Jack Sellers, Steve Chucuri, Bill Gates, and Steve Gallardo, in their official capacities as Members of the Maricopa County Board of Supervisors, who are not present.

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- Counsel, Alexander Kolodin is present on behalf of Proposed Intervenors, Tyler Bowyer, Nancy Cottle, Jake Hoffman, Anthony Kern, Christopher M. King, James R. Lamon, Sam Moorhead, Robert Montgomery, Loraine Pellegrino, Greg Safstein, Salvatore Luke Scarmardo, Kelly Ward, Michael Ward and Michael John Burke, who are not present.
- Counsel, John Basile and Kory Langhofer are present on behalf of Defendants/Plaintiffs-in-Counterclaim Arizona Senate President Karen Fann and Senate Judiciary Committee Chairman Eddie Farnsworth, who are not present.
- Counsel, James Barton and Jacqueline Mendez Soto are present on behalf of Defendants Lupe Contreras, Andrea Dalessandro and Martin Quezada, in their official capacities as Members of the Arizona Senate Judiciary Committee, who are not present.
- Counsel, Michael Catlett and Jennifer Wright are present on behalf of Attorney General Mark Brnovich.

A record of the proceedings is made digitally in lieu of a court reporter.

The court has reviewed Motion for Leave to File Amicus Curiae Brief of Arizona Attorney General Mark Brnovich, filed December 30, 2020.

Counsel having no objections,

IT IS ORDERED granting the Motion to File Amicus Curiae Brief. The Amicus Brief attached to that Motion is deemed filed.

Discussion is held regarding Motion to Intervene [Refiled], filed December 21, 2020. The court will address this motion later in the hearing.

The court has received and reviewed Plaintiffs-in-Counterclaim's Motion for Preliminary Injunction, filed December 29, 2020. Discussion is held regarding the need for an evidentiary hearing.

Following discussion,

IT IS ORDERED that the response to the Motion for Preliminary Injunction and any motions to dismiss shall be filed by **12:00 p.m. on January 8, 2021** with copies emailed to this division at Mary.Smith@jbazmc.maricopa.gov.

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IT IS FURTHER ORDERED setting Telephonic Oral Argument on Motion for Preliminary Injunction on **January 13, 2021 at 9:00 a.m. (allotted time: 90 minutes)** in this division.

**THE HONORABLE TIMOTHY THOMASON
MARICOPA COUNTY SUPERIOR COURT
EAST COURT BUILDING
101 W JEFFERSON
7TH FLOOR, COURTROOM 713
PHOENIX, AZ 85003
TEL 602-506-0573**

NOTE: *Counsel shall be available for the conference call on a telephone land line, if possible, instead of a cellular phone, in order to maximize all participants' ability to hear and be heard.*

The parties shall call 602-506-9695 to access the Conference Bridge. (The long distance toll free number is 1-855-506-9695). The system will prompt you to enter the conference pass code. Enter the code 3728495 followed by the # (pound) sign. If disconnected for any reason, repeat instructions above. **Note:** Participants who call in prior to the Moderator (Court staff) opening the bridge will hear music while waiting.

With regard to Motion to Intervene [Refiled], filed December 21, 2020,

IT IS ORDERED any response to the Motion to Intervene be filed no later than **5:00 p.m. on January 11, 2021** with copies emailed to this division at Mary.Smith@jbazmc.maricopa.gov.

NOTE: All court proceedings are recorded by audio and video method and not by a court reporter. Pursuant to Local Rule 2.22, if a party desires a court reporter for any proceeding in which a court reporter is not mandated by Arizona Supreme Court Rule 30, the party must submit a written request to the assigned judicial officer at least ten (10) judicial days in advance of the hearing, and must pay the authorized fee to the Clerk of the Court at least two (2) judicial days before the proceeding. The fee is \$140 for a half-day and \$280 for a full day.

11:35 a.m. Matter concludes.

NOTE: Due to the spread of COVID-19, the Arizona Supreme Court Administrative Order 2020-79 requires all individuals entering a court facility to wear a mask or face covering at all times they are in the court facility. With limited exceptions, the court will not provide masks or face

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coverings. Therefore, any individual attempting to enter the court facility must have an appropriate mask or face covering to be allowed entry to the court facility. Any person who refuses to wear a mask or face covering as directed will be denied entrance to the court facility or asked to leave. In addition, all individuals entering a court facility will be subject to a health screening protocol. Any person who does not pass the health screening protocol will be denied entrance to the court facility.